

110TH CONGRESS
1ST SESSION

H. R. 757

To allow United States nationals and permanent residents to visit family members in Cuba, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 2007

Mr. DELAHUNT (for himself, Mr. LAHOOD, Mr. FLAKE, Mr. PAUL, Mrs. EMERSON, Ms. SOLIS, Mr. MCGOVERN, Mr. BERMAN, and Mr. MEEKS of New York) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To allow United States nationals and permanent residents to visit family members in Cuba, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Cuban-American Fam-
5 ily Rights Restoration Act”.

1 **SEC. 2. TRAVEL BY UNITED STATES NATIONALS AND PER-**
2 **MANENT RESIDENTS TO VISIT FAMILY MEM-**
3 **BERS IN CUBA.**

4 (a) IN GENERAL.—Subject to subsection (c), the
5 President shall not regulate or prohibit, directly or indi-
6 rectly—

7 (1) travel to or from Cuba by any United
8 States person, or

9 (2) any of the transactions incident to travel
10 described in paragraph (1) that are set forth in sub-
11 section (b),

12 if such travel is for the purpose of visiting a close relative
13 who is a national of Cuba. The President shall rescind
14 all regulations in effect on the date of the enactment of
15 this Act that so regulate or prohibit such travel or trans-
16 actions.

17 (b) TRANSACTIONS INCIDENT TO TRAVEL.—

18 (1) IN GENERAL.—Except as provided in para-
19 graph (2), the transactions referred to in subsection

20 (a) are—

21 (A) any transactions ordinarily incident to
22 travel to or from Cuba, including the importa-
23 tion into Cuba or the United States of accom-
24 panied baggage;

25 (B) any transactions ordinarily incident to
26 travel or maintenance within Cuba, including

1 the payment of living expenses and the acquisi-
2 tion of goods or services for personal use;

3 (C) any transactions ordinarily incident to
4 the arrangement, promotion, or facilitation of
5 travel to, from, or within Cuba;

6 (D) any transactions incident to non-
7 scheduled air, sea, or land voyages, except that
8 this subparagraph does not authorize the car-
9 riage of articles into Cuba or the United States
10 except accompanied baggage; and

11 (E) any normal banking transactions inci-
12 dent to the activities described in any of the
13 preceding subparagraphs, including the
14 issuance, clearing, processing, or payment of
15 checks, drafts, travelers checks, credit or debit
16 card instruments, or similar instruments.

17 (2) EXCLUSION OF CERTAIN GOODS.—The
18 transactions described in paragraph (1) do not in-
19 clude the importation into the United States of
20 goods acquired in Cuba, including goods for personal
21 consumption, except for Cuban-origin information
22 and informational materials.

23 (c) EXCEPTIONS.—The restrictions on authority con-
24 tained in this section do not apply in a case in which—

1 (1) the United States Congress has declared
2 that a state of war exists between the United States
3 and Cuba; or

4 (2) armed hostilities between the two countries
5 are in progress.

6 **SEC. 3. REMITTANCES.**

7 The President shall not regulate or prohibit, directly
8 or indirectly, any United States person described in sec-
9 tion 2(a) from carrying remittances for the purpose of pro-
10 viding such remittances to a close relative who is a na-
11 tional of Cuba. The President shall rescind all regulations
12 in effect on the date of the enactment of this Act that
13 so regulate or prohibit such remittances.

14 **SEC. 4. DEFINITIONS.**

15 In this Act:

16 (1) CLOSE RELATIVE.—The term “close rel-
17 ative”, as used with respect to any person, means an
18 individual related to that person by blood, marriage,
19 or adoption who is no more than four generations
20 removed from that person or from a common ances-
21 tor with that person.

22 (2) NATIONAL OF CUBA.—The term “national
23 of Cuba” means—

24 (A) a citizen of Cuba; or

1 (B) a person who, though not a citizen of
 2 Cuba, owes permanent allegiance to Cuba.

3 (3) UNITED STATES PERSON.—

4 (A) IN GENERAL.—The term “United
 5 States person” means—

6 (i) a national of the United States; or

7 (ii) an alien lawfully admitted for per-
 8 manent residence in the United States.

9 (B) LAWFULLY ADMITTED FOR PERMA-
 10 NENT RESIDENCE.—The term “lawfully admit-
 11 ted for permanent residence” has the meaning
 12 given the term in section 101(a)(20) of the Im-
 13 migration and Nationality Act (8 U.S.C.
 14 1101(a)(20)).

15 (C) NATIONAL OF THE UNITED STATES.—
 16 The term “national of the United States” has
 17 the meaning given the term in section
 18 101(a)(22) of the Immigration and Nationality
 19 Act (8 U.S.C. 1101(a)(22)).

20 **SEC. 5. EFFECTIVE DATE; INAPPLICABILITY OF OTHER**
 21 **PROVISIONS.**

22 (a) EFFECTIVE DATE.—This Act applies to actions
 23 taken by the President before the date of the enactment
 24 of this Act which are in effect on such date of enactment,
 25 and to actions taken on or after such date.

1 (b) INAPPLICABILITY OF OTHER PROVISIONS.—This
2 Act applies notwithstanding any other provision of law, in-
3 cluding section 102(h) of the Cuban Liberty and Demo-
4 cratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C.
5 6032(h)) and section 910(b) of the Trade Sanctions Re-
6 form and Export Enhancement Act of 2000 (22 U.S.C.
7 7209(b)).

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